

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DAVID D. PALMER,	:	
	:	
Petitioner,	:	Case No. 3:10cv078
	:	
vs.	:	JUDGE WALTER HERBERT RICE
	:	
MAGGIE BRADSHAW, WARDEN,	:	
	:	
Respondent.	:	

DECISION AND ENTRY OVERRULING PETITIONER'S OBJECTIONS
(DOC. #8) TO THE REPORT AND RECOMMENDATIONS OF THE
UNITED STATES MAGISTRATE JUDGE (DOC. #7); REPORT AND
RECOMMENDATIONS ADOPTED; DIRECTIVE TO PETITIONER;
TERMINATION ENTRY

Based upon the reasoning set forth by the United States Magistrate Judge in her Report and Recommendations (Doc. #7), this Court overrules the Petitioner's Objections (Doc. #8) to said judicial filing. In addition, the Court adopts the Report and Recommendations (Doc. #7). Simply stated, Petitioner has requested a second or successive writ of habeas corpus. Only the Sixth Circuit Court of Appeals can authorize the filing of such a petition. See 28 U.S.C. § 2244(b)(3). Therefore, this Court dismisses the Petitioner's request for a writ of habeas corpus. If he wants to file a second or successive petition, he must initially obtain permission from the Sixth Circuit in accordance with § 2244(b)(3).

The captioned cause is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

March 30, 2010

/s/ Walter Herbert Rice

WALTER HERBERT RICE, JUDGE
UNITED STATES DISTRICT COURT

Copies to:

Counsel of Record.